

EXHIBIT C

UNITED STATES DEPARTMENT OF TRANSPORTATION


 US DOT #:
00939291

 LEGAL: AKJ ENTERPRISES INC
 OPERATING (DBA): UNLIMITED XPRESS

 REVIEW TYPE: CR
 STATUS: Update
 PLACE: Principal Office
 CENSUS TYPE: Carrier
 BUSINESS: Corporation

 PHYSICAL ADDRESS: 132 Forest Parkway B
 COUNTY: 121 Forest Park, GA, 30297
 MAILING ADDRESS: PO BOX 870094
 COUNTY: 121 MORROW, GA, 30287
 PHONE: (404)675-0455 TOLL FREE:
 E-MAIL: DIONNIEB@BELLSOUTH.NET

FAX #: (404)675-0457

MCMX #: 404254

FEDERAL TAX ID #: 58-2308407 (EIN)

OPERATION TYPE

CARRIER OPERATION:

INTERSTATE

INTRASTATE

OIC: 13

TERRITORY: 1

SHIPPER OPERATION:

Non-HM

Non-HM

N/A

N/A

 CARRIER CLASSIFICATION:
Authorized

(A)

CARGO CLASSIFICATION:

(A, V, W)

General Freight; Commodities Dry Bulk; Refrigerated Foods

EQUIPMENT:	TRUCK	TRUCK TRACTOR	TRAILER	HM TANK TRUCK	HM TANK TRAILER	MOTOR COACH	SCHOOL BUS	LIMO	PASS. VAN
OWNED	1	4	3						
TERM LEASED		2	1						
TRIP LEASED									
DRIVERS:	INTER	INTRA	Avg. Trip Leased Drivers/Mo.:				Does carrier transport placardable quantities of HM? No		
<100 Miles:			Total Drivers:						
>= 100 Miles:	4	3	CDL Drivers:						

Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:

Atlanta Federal Center, 61 Forsyth St SW, Suite 17T86

Atlanta, GA 30303-3104

Phone: (404)862-3620 Fax: (404)862-3704

This report will be used to assess your safety compliance.

PERSON(S) INTERVIEWED:

Elson Bolar

TITLE(S):

President

Dionnie Bolar

Secretary

REPORTED BY:

TITLE:

CODE: US0544

DATE: 07/25/2003

RECEIVED BY:


TITLE:

MCS-151/CR CAPRI Version 4.4.8

PART A

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JCEX-11

	COMPLIANCE UNLIMITED XPRESS (AKJ ENTERPRISES INC dba)	DATE: 07/25/2003
	REVIEW USDOT: 00838291	PAGE: 1

PART B

1 FEDERAL	PRIMARY: 382.301(a)	NUMBER FOUND	NUMBER CHECKED	DRIVERS/VEHICLES	
		1	5	IN VIOL	CHKD
				1	5

DESCRIPTION:

Using a driver before the motor carrier has received a negative pre-employment controlled substance test result.

EXAMPLE:

b6,b7c 7/5/03, hired **b6,b7c**

2 FEDERAL	PRIMARY: 391.25(c)(1)	NUMBER FOUND	NUMBER CHECKED	DRIVERS/VEHICLES	
		1	5	IN VIOL	CHKD
				1	5

DESCRIPTION:

Failing to maintain a copy of the response from each State agency in the driver qualification file.

EXAMPLE:

b6,b7c 6/30/03

3 FEDERAL	PRIMARY: 391.51(b)(2)	NUMBER FOUND	NUMBER CHECKED	DRIVERS/VEHICLES	
		1	5	IN VIOL	CHKD
				1	5

DESCRIPTION:

Failing to maintain inquiries into driver's employment record in driver's qualification file.

EXAMPLE:

b6,b7c 6/29/03.

4 FEDERAL	PRIMARY: 391.51(b)(8)	NUMBER FOUND	NUMBER CHECKED	DRIVERS/VEHICLES	
		4	5	IN VIOL	CHKD
				4	5

DESCRIPTION:

Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27.

EXAMPLE:

b6,b7c 6/29/03

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PART B

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COMPLIANCE UNLIMITED XPRESS (AKJ ENTERPRISES INC dba)
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PART B

5 FEDERAL	PRIMARY: 395.3(a)(1)	NUMBER FOUND 2	NUMBER CHECKED 153	DRIVERS/VEHICLES IN VIOL 1	CHKD 5
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DESCRIPTION:

Requiring or permitting driver to drive more than 10 hours.

EXAMPLE:

6/18/03, b6, b7c

6 FEDERAL CRITICAL	PRIMARY: 395.3(b)(2)	NUMBER FOUND 15	NUMBER CHECKED 118	DRIVERS/VEHICLES IN VIOL 1	CHKD 5
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DESCRIPTION:

Requiring or permitting driver to drive after having been on duty more than 70 hours in 8 consecutive days.

EXAMPLE:

6/1-6/8/03, b6, b7c

7 FEDERAL	PRIMARY: 395.8(f)	NUMBER FOUND 111	NUMBER CHECKED 153	DRIVERS/VEHICLES IN VIOL 4	CHKD 5
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DESCRIPTION:

Failing to require driver to prepare record of duty status in form and manner prescribed.

EXAMPLE:

b6, b7c 7/7/03. Not showing bill of lading number or commodity hauled.

SAFETY FITNESS RATING INFORMATION:

Total Miles Operated: 1,000,000
Recordable Crashes 1
Recordable Crashes / Million Miles: 1.000

OOS Vehicles (CR) : 0
of Vehicles Inspected (CR) : 0
OOS Vehicles (MCMIS) : 1
of Vehicles Inspected (MCMIS) : 5

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Diemie Baker

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PART B

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COMPLIANCE UNLIMITED XPRESS (AKJ ENTERPRISES INC dba)
REVIEW USDOT: 00939291

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PART B

Your proposed safety rating is

CONDITIONAL

RATING FACTORS

OF POINTS

ACUTE CRITICAL

Factor 1: S	0	0
Factor 2: S	0	0
Factor 3: U	0	2
Factor 4: S	0	0
Factor 5: N	0	0
Factor 6: S	-	-

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PART B

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PART B

The Federal Motor Carrier Safety Administration headquarters office in Washington, D.C. will notify you of your rating in a forthcoming official notice. If your rating is "satisfactory" or is an improvement upon a previous "unsatisfactory" rating, it is a "final rating" and becomes effective on the date of the official notice. If your rating is the same as your previous rating (except satisfactory ratings), or is a downgrade upon a previous rating, it is a "proposed rating" and will become a final rating 61-days after the date indicated on the official notice.

Owners or operators of commercial motor vehicles (except for those that are designed or used to transport hazardous material for which placarding is required and/or are designed or used to transport passengers), who have been declared "unfit" may not operate in interstate commerce beginning on the 61st day after the date of such fitness determination and may not reestablish interstate operations until they become fit for such transportation. An owner or operator is unfit when the Federal Motor Carrier Safety Administration (FMCSA) issues a final "unsatisfactory" safety rating (49 USC 31144(c) and 49 CFR 385.13(a)). All Federal departments, agencies, or instrumentalities are prohibited from using any owner or operator who is unfit by virtue of having a final unsatisfactory safety rating (49 USC 31144(e) and 49 CFR 385.13(b)). Owners and operators are "fit" when the FMCSA issues a final "conditional" or "satisfactory" safety rating.

Corrective action must be taken for the violations (deficiencies) listed on Part B of this review.

APPEAL RIGHTS: [A] 49 CFR 385.17: A request for a change to a safety rating for corrective action may be made at any time. This request must be made in writing to the FMCSA Service Center for the geographic area where the carrier maintains its principal place of business (See 49 CFR 390.27). The request must be based upon evidence that the carrier has taken corrective actions and that its operations currently meet the safety fitness standards and factors specified in 49 CFR 385.5 and 385.7. The FMCSA will make a final determination based upon the documentation submitted and any other additional relevant information. A written decision will be issued by the FMCSA. Any motor carrier whose request for change is denied may, within 90-days after the denial, request administrative review under 49 CFR 385.15.

[B] 49 CFR 385.15: A request may be made to the FMCSA to conduct an administrative review if you believe that an error was committed in assigning the proposed safety rating or when your request under 49 CFR 385.17 was denied. This request must be made within 90 days of the date of the proposed safety rating issued under 49 CFR 385.11(c) or a final rating issued under 49 CFR 385.11(b), or within 90-days of the date of an Order denying your request for a rating change under 49 CFR 385.17.

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PART B

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COMPLIANCE UNLIMITED XPRESS (AKJ ENTERPRISES INC dba)

REVIEW USDOT: 00939291

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Requirements and/or Recommendations

- 1 Ensure all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file for each driver documenting the qualification process.
- 2 Establish a system to control drivers' hours of service. Do not dispatch drivers who don't have adequate hours available to complete assigned trips legally. Do not allow drivers to exceed the 10, 15 and 60/70 hour limits.
- 3 Periodically review the maintenance and inspection records for all lease vehicles as required by Part 396 of the FMCSR. Keep a record to document these reviews and notify the vehicle owner of any violations you detect.
- 4 Within 15 days, send a letter to our office describing what actions you have taken in response to this review to ensure you are complying with the Federal Motor Carrier Safety Regulations.
- 5 This review will result in a Safety Rating.
- 6 A "Carrier Profile" is available (from a contractor hired by the US D.O.T.) which lists information on Driver/Vehicle Inspections which have been performed on your drivers/vehicles, and which were uploaded into the mainframe D.O.T. computer in Washington. A copy is available for \$27.50 by writing to "OMC - Data Dissemination Program, P.O. Box 3248, Merrifield, VA 22116. Phone: (800) 832-5660.
- 7 Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
- 8 Ensure all drivers subject to pre-employment, random, reasonable cause, post accident, return to duty, and/or follow-up controlled substance testing are tested as required by Part 382 of the FMCSR.
- 9 Maintain all required controlled substance testing records including yearly summaries, quarterly summaries, test information, test results, records of training and any other record required by Part 382 of the FMCSR

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PART B - RECOMMENDATIONS

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UNLIMITED XPRESS (AKJ ENTERPRISES INC dba)

USDOT: 00939291

State #:

Date: 07/25/2003

Page No: 1

Safety Fitness Rating Report

This report lists the facts which were used to determine the Safety Fitness Rating for the above motor carrier. A check mark identifies the range within which the data fell when determining the Safety Fitness Rating. All information within a FACTOR block relates only to that FACTOR.

FACTOR 1

General (CFR Parts 387, 390)

✓ 0 Point = Satisfactory
1 Point = Conditional
>1 Point = Unsatisfactory

VIOLATIONS AFFECTING RATING

POINTS

NONE

TOTAL POINTS: 0 = SATISFACTORY

FACTOR 2

Driver Qualification (CFR Parts 382, 383, 391)

✓ 0 Point = Satisfactory
1 Point = Conditional
>1 Point = Unsatisfactory

VIOLATIONS AFFECTING RATING

POINTS

NONE

TOTAL POINTS: 0 = SATISFACTORY

FACTOR 3

Operational/Driving (CFR Parts 392, 396)

0 Point = Satisfactory
1 Point = Conditional
✓ >1 Point = Unsatisfactory

VIOLATIONS AFFECTING RATING

POINTS

F 395.3(b)(2)

2 (C)

TOTAL POINTS: 2 = UNSATISFACTORY

FACTOR 4

Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))

VIOLATIONS AFFECTING RATING

POINTS

NONE

Out-of-Service (OOS) Percentage: 20.0

TOTAL POINTS: 0 & 20.0% OOS = SATISFACTORY (see chart)

Fewer than 3 Inspections	3 or more Inspections	
	OOS Less than 34%	OOS 34% or Higher
	✓ Satisfactory	Conditional
	Conditional If a pattern of Non-Compliance with a Critical or an Acute Violation	Unsatisfactory If a pattern of Non-Compliance with a Critical or an Acute Violation
Rate same as other Regulatory Factors 1, 2, and 3		
0 Point = Satisfactory		
1 Point = Conditional		
>1 Point = Unsatisfactory		

FACTOR 5

Hazardous Material (CFR Parts 397, 171, 177, 180)

Not Applicable - Not a carrier of Hazardous Material

FACTOR 6

Crash (Recordable Crash Rate)

((Recordable Crashes) X (1 million)) ÷ (Total Miles) = Rate

Factor Rating cannot be less than satisfactory because carrier has only one crash

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UNLIMITED XPRESS (AKJ ENTERPRISES INC dba)

USDOT: 00939291

State #:

Date: 07/25/2003

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Safety Fitness Rating Report

OVERALL SAFETY FITNESS RATING:

Number of Factors (1-6) shown above as less than satisfactory

Unsatisfactory

Conditional

1

0

=

CONDITIONAL

FORMULA TO CALCULATE THE OVERALL SAFETY FITNESS RATING

Number of Factors

Unsatisfactory

Conditional

OVERALL RATING

0

2 or fewer

Satisfactory

0

3 or more

Conditional

✓

1

2 or fewer

Conditional

1

3 or more

Unsatisfactory

2

0 or more

Unsatisfactory

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INTRA-AGENCY UNLIMITED XPRESS (AKJ ENTERPRISES INC dba)

MEMORANDUM USDOT: 00939291

DATE: 07/25/2003

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PART C

Reason for Review: Subject Request

SafeStat Category = B

Planned Action: Compliance Monitoring

Parts Reviewed Certification (C = Reviewed, N = Not Reviewed)

325	382	383	387	390	391	392	393	395	396	397	398	399	171	172	173	177	178	180
N	C	C	C	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N

Prior Reviews
05/21/2003Prosecutions
05/21/2003Followup
FederalSpecial Studies
1)

Gross Revenue: \$428,000 For Year Ending:12/31/2002

Unsat/Unfit Information

Does Passenger Vehicle transport more than 15 passengers, including driver?

Does carrier transport placardable quantities of HM?

Unsat/Unfit Rule: 9. Follow-up - 60-Day Rule for conditional

Remarks:

This review was conducted with Elson and Dionnie Bolar. All documents were provided by them. This carrier has completely changed their driver staff since the last review. The carrier has made strides towards compliance but still has some problems.

The carrier failed to have one of their new drivers take a pre employment drug test. The carrier stated that they believed they had sent all new drivers to be tested but they must have missed one. All other aspects of thier program are in place. They have conducted one random test so far this year.

Their DQ files are in overall pretty good shape with a few documents missing.

The carrier has just hired someone last week who will be reviewing all RODS. As of now there is no system to control hours of service. This is evident by the 70 hour violations found on driver ~~XXXX~~. No enforcement will be taken as ~~XXXX~~ was the only violator and the carrier is taking action to correct the problem.

Mr. Bolar is in charge on the maintenance and all files are being properly maintained.

Overall this carrier has improved since the last review. Compliance monitoring is recommended at this time. The carrier has spent \$1100 at JJ Keller and is making an attempt towards compliance with the FMCSR's



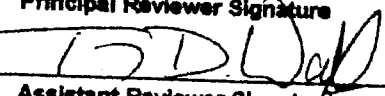
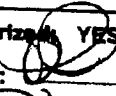
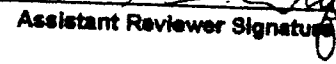
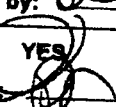
INTRA-AGENCY UNLIMITED XPRESS (AKJ ENTERPRISES INC dba)

MEMORANDUM USDOT: 00939291

DATE: 07/25/2003

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PART C

Principal Reviewer Signature 	Code No. US0544	Upload Authorized: YES NO Authorized by:  Date:
Assistant Reviewer Signature 	Code No.	Uploaded: YES NO Verified by:  Failure Code: Date: 7-25-03

MCS-151/CR CAPRI Version 4.4.6

PART C

Printed: 07/25/2003 12:59 PM

Enforcement Case Report

Case #: GA-2003-0250-US0027
U.S. DOT #: 00939291
EIN #: 58-2306407
Subject: AKJ Enterprises Inc
dba Unlimited Xpress
Po Box 870094
Morrow, GA 30287

Violations	Violation Description	Number Discovered	Number Documented
382.301(a)	Using a driver before the motor carrier has received a negative pre-employment controlled substance test result.	4	2

Investigation Assigned	06/11/2003	Reviewed by: <i>Pam Rice</i> Title: <i>485</i> Date: <i>7-11-03</i>
Investigation Completed	06/23/2003	
Date NOC Served		

Safety Investigator's Signature

Amelia L. O'Neil

Code #: US0027

Page 1 of 1

Continuation Sheet

DESCRIPTION OF SUBJECT:

See Part A of CR. Additionally, see lettered exhibit A, document # 1.

REASON FOR CONTACT:

This review was initiated due to the carrier being listed as a SafeStat-C carrier.

KNOWLEDGE AND WILLFULNESS:

According to the carrier officials, this company has been in operation for approximately two years and has had several roadside inspections since the company's start-up. Additionally, see lettered exhibit A, document # 2.

ENFORCEMENT REASON:

Enforcement action is being initiated due to the carrier's continued non-compliance with the Federal Motor Carrier Safety Regulations, specifically, for the carrier using drivers prior to receiving a negative pre-employment controlled substance tests.

DEFENSES:

The carrier officials offered no defenses for the violations discovered.

ADDITIONAL INFORMATION:

REVIEWER NOTES

Case Number: GA-2003-0250-US0027

This report is of good quality. The UFA assessed penalty amount of \$2,000 falls within the penalty range.